

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

IN RE:
Yvette Arciniega Bailey

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CASE NO. 20-51142K

DEBTOR(S)

CHAPTER 13

NOTICE TO RETAIN PROCEEDS OF THE 2020 FEDERAL INCOME TAX REFUND

**THIS PLEADING REQUESTS RELIEF THAT MAY BE ADVERSE TO
YOUR INTERESTS. IF NO TIMELY RESPONSE IS FILED WITHIN 21
DAYS FROM THE DATE OF SERVICE, THE RELIEF REQUESTED
HEREIN MAY BE GRANTED WITHOUT A HEARING BEING HELD.
A TIMELY FILED RESPONSE IS NECESSARY FOR A HEARING TO
BE HELD.**

TO THE HONORABLE U.S. BANKRUPTCY JUDGE:

Now Comes Debtor (so denominated whether individual or joint) and files this, Debtor's above-entitled Notice to Retain Proceeds of the 2020 Federal Income Tax Refund, pursuant to the Standing Order Regarding Chapter 13 Tax Refund dated September 14, 2020 and effective for cases confirmed after October 1, 2020, and for cause would show as follows:

1. Background

The Debtor filed a Chapter 13 bankruptcy petition on June 18, 2020. The Chapter 13 plan was confirmed on October 6, 2020.

2. Tax Refund

Debtor has received a federal income tax refund for 2020 in the amount of \$6,142.00.

3. Grounds to Retain Tax Refund

Debtor files this notice of intention to retain \$6,142.00 of her 2020 tax refund because Debtor is in need of a more reliable vehicle. The vehicle Debtor is currently driving has in excess of 200,000 miles and is no longer reliable. Debtor wishes to purchase a vehicle for cash using her tax refund. Debtor has provided an estimate for that expense. The remaining balance of the Debtor's tax refund, if any, will be turned over to the trustee within 14 days of the purchase.

Debtor contends that the tax refund is needed for the purchase of a much needed replacement vehicle and after the vehicle is purchased, Debtor will forward the balance of refund to the trustee's office. Therefore, Debtor's tax refund is not disposable income and Debtor provides this notice of Debtor's intention to retain the amount of refund necessary to purchase a replacement vehicle.

Respectfully submitted,

MALAISE LAW FIRM

909 NE Loop 410, Suite 300

San Antonio, Texas 78209

Telephone: (210) 732-6699

Telecopier: (210) 732-5826

By: 

J. Todd Malaise, SBN 00796984

David C. Werner, SBN 00797651

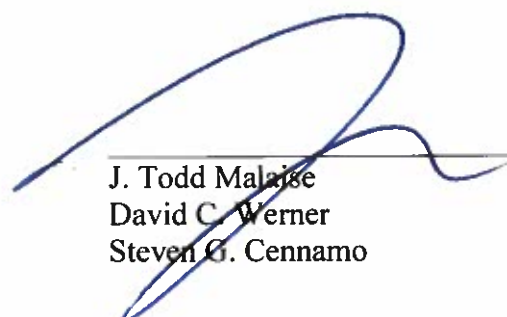
Steven G. Cennamo, SBN 04045600

ATTORNEYS FOR DEBTOR

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on March 31, 2021, service of a copy of the attached has been accomplished by CM/ECF to **Mary K. Viegelahn, Chapter 13 Trustee and the United States Trustee**, and by first class mail, postage paid, or hand delivered to the parties in interest listed below and to all parties listed on the attached mailing matrix.

Yvette Arciniega Bailey
685 Live Oak Dr.
Adkins, TX 78101


J. Todd Malaise
David C. Werner
Steven G. Cennamo

ebe

Label Matrix for local noticing
0542-5
Case 20-51142-rbk
Western District of Texas
San Antonio
Tue Mar 30 18:15:52 CDT 2021

U.S. BANKRUPTCY COURT
615 E. HOUSTON STREET, ROOM 597
SAN ANTONIO, TX 78205-2055

American Medical Response San Antonio
P.O. Box 847343
Dallas, TX 75284-7343

CMRE Financial Services
Attn: Bankruptcy
3075 E Imperial Hwy Ste 200
Brea, CA 92821-6753

Convergent Outsourcing, Inc.
800 SW 39th Street
PO Box 9004
Renton, WA 98057-9004

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

River City Imaging Associates
PO Box 10270
Longview, Texas 75608-0270

Star Anesthesia, P.A.
Mailstop: 64127186
PO Box 660535
Dallas, TX 75266-0535

VA Regional Office
Office of District Counsel
2515 Murworth Dr
Houston, TX 77054-1603

Wilson County
c/o Bradley S. Balderrama
112 E. Pecan Street, Suite 2200
San Antonio, TX 78205-1588

United States Trustee (SMG513)
U.S. Trustee's Office
615 E. Houston, Suite 533
P.O. Box 1539
San Antonio, TX 78295-1539

(p)21ST MORTGAGE CORPORATION
PO BOX 477
KNOXVILLE TN 37901-0477

Attorney General of the US
Department of Justice
950 Pennsylvania Ave. NW
Washington, DC 20530-0009

Children's Hospital of San Antonio
PO Box 847053
Dallas, TX 75284-7053

Credit Systems International, Inc
Attn: Bankruptcy
PO Box 1088
Arlington, TX 76004-1088

Linebarger Goggan Blair & Sampson, LLP
711 Navarro, Suite 300
San Antonio, TX 78205-1749

Second Round, LP
Attn: Bankruptcy Dept
PO Box 41955
Austin, TX 78704-0033

Tierra Robles Property Owners' Assoc.
P.O. Box 1042
Adkins, TX 78101-1042

Verizon
by American InfoSource as agent
4515 N Santa Fe Ave
Oklahoma City, OK 73118-7901

(p)WILSON COUNTY TAX OFFICE
ATTN WILSON COUNTY TAX ASSESSOR-COLLECTOR
1 LIBRARY LN
FLORESVILLE TX 78114-2239

United States Trustee - SA12
US Trustee's Office
615 E Houston, Suite 533
PO Box 1539
San Antonio, TX 78295-1539

Allied Collection Services
Attn: Bankruptcy
3080 South Durango Drive Suite 208
Las Vegas, NV 89117-9194

BCM Physicians of San Antonio
Attn: #14507X
PO Box 14000
Belfast, ME 04915-4033

Christus Santa Rosa Medical Ctr.
PO Box 847053
Dallas, TX 75284-7053

ERC/Enhanced Recovery Corp
Attn: Bankruptcy
8014 Bayberry Road
Jacksonville, FL 32256-7412

Pathology Associates of San Antonio
P.O. Box 2216
San Antonio, TX 78298-2216

Soumava Sen, DDS, P.C.
PO Box 51900
Los Angeles, CA 90051-6200

US Attorney's Office
601 NW Loop 410, Ste 600
San Antonio, TX 78216-5597

Verizon
by American InfoSource as agent
PO Box 4457
Houston, TX 77210-4457

Zapata Co. & ZISD Tax Assessor
200 E. 7th St., Ste. 226
Zapata, TX 78076-2959

Zapata County
c/o Diane W. Sanders
Linebarger Goggan Blair & Sampson, LLP
P.O. Box 17428
Austin, TX 78760-7428

J. Todd Malaise
909 NE Loop 410, Suite 300
San Antonio, TX 78209-1315

J. Todd Malaise02
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San Antonio, TX 78209-1315

Mary K Viegelaahn
Chapter 13 Trustee
10500 Heritage Blvd Suite 201
San Antonio, TX 78216-3631

Yvette Arciniaga Bailey
685 Live Oak Dr.
Adkins, TX 78101-2740

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

21st Mortgage Corporation
Attn: Bankruptcy
PO Box 477
Knoxville, TN 37901

Wilson County Tax Office
1 Library Lane
Floresville, TX 78114

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) Wayne O. Bailey
Address unknown

End of Label Matrix	
Mailable recipients	34
Bypassed recipients	1
Total	35